

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: September 20, 2005]²

Bill No. and sponsor: H.R. 1788 (Mr. William L. Jenkins of Tennessee)

Proponent name, location: Eastman Chemical Company
Kingsport, TN

Other bills on product (109th Congress only): None.

Nature of bill: Temporary suspension of duty until 12/31/2008.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Benzoic acid 3,4,5-trihydroxy-, propyl ester (CAS No. 121-79-9) (provided for in subheading 2918.29.75)

Check one: ☒ Same as that in bill as introduced
 ☐ Different from that in bill as introduced (explain differences in Technical comments section)

Product information, including uses/applications and source(s) of imports:

The subject chemical, more commonly known as propyl gallate, is used as an antioxidant in food products.

This chemical is imported from China, among other sources.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at www.usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

HTS subheading: 2918.29.75					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$800,000	\$800,000	\$800,000	\$800,000	\$800,000
Customs revenue loss	\$52,000	\$52,000	\$52,000	\$52,000	\$52,000

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Eastman Chemical Company (proponent) J.P. San Pedro Tel: (703) 524-7653	6/22/2005	No	No	No
Aceto Corporation Marketing Mgr., FAX: (516) 627-6093	6/23/2005	No	No	No
Amerol Corp. Marketing Mgr., FAX: (631) 694-9177	6/23/2005	No	No	No
ATZ Chemical Inc. Marketing Mgr., FAX: (201) 869-5655	6/23/2005	No	No	No
Esprix Technologies Marketing Mgr., FAX: (941) 358-1339	6/23/2005	No	No	No
Fabrichem, Inc. Marketing Mgr., FAX: (203) 366-1850	6/23/2005	No	No	No
R.W. Greef Marketing Mgr., FAX: (203) 323-0475	6/23/2005	No	No	No
Penta Manufacturing Co. Marketing Mgr., FAX: (973) 740-1839	6/23/2005	No	No	No

Richman Chemical Inc. Marketing Mgr., FAX: (215) 628-4262	6/23/2005	No	No	No
Ruger Chemical Co., Inc. Marketing Mgr., FAX: (973) 926-4921	6/23/2005	No	No	No
Total Specialty Chemicals, Inc. Marketing Mgr., FAX: (203) 966-1505	6/23/2005	No	No	No

Technical comments:³ None.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 1788

To suspend temporarily the duty on propyl gallate.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

Mr. JENKINS introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on propyl gallate.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROPYL GALLATE.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.04.52	Benzoic acid 3,4,5-trihydroxy-, propyl ester (CAS No. 121-79-9) (provided for in subheading 2918.29.75)	Free	No change	No change	On or before 12/31/2008	”.
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8 (b) EFFECTIVE DATE.—The amendments made by
9 subsection (a) apply to articles entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

